UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI ABERDEEN DIVISION

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Plaintiff,

vs.

CIVIL ACTION NO.: 1:22CV79-GHD-DAS

LaCOSTA, INC.,

Defendant.

AFFIDAVIT OF DORIS E. BROSNAN

STATE OF WISCONSIN)
) ss
MILWAUKEE COUNTY)

Doris E. Brosnan, being first duly sworn on oath, deposes and says:

- 1. I am one of the attorneys for the Defendant, LaCosta, Inc. and make this affidavit on its behalf.
- 2. That attached hereto and marked as Exhibit 1 is a true and correct copy of the EEOC Charge of Discrimination, Charge No. 490-2021-00004 filed by Harold Roby on October 20, 2022.
- That attached hereto and marked as Exhibit 2 is a true and correct copy of the
 Dismissal and Notice of Rights issued by the EEOC electronically on January 28,

 2022.

Subscribed and sworn to before me this 23rd day of August, 2022.

Notary Public State of Wisconsin My Commission ferment.

CHARGE OF DISCRIMINATION	Cha			-gency(1	es) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act	1	Ц	FEPA		
Statement and other information before completing this form.		X	EEOC	490-	-2021-00004
					and EEOC
State or local Agency, i	if any				D. CDM
me (indicate Mr., Ms., Mrs.)			Home Phone (Incl. Area		Date of Birth
nr. Harold G. Roby			(504) 605-853	7	1963
treet Address City, State and	ZIP Code				
11 Scale Street, Corinth, MS 38834					
Commission Employment Agency Apprenticeship C	ommittee	or S	tate or Local Governme	nt Agenc	y That I Believe
lamed is the Employer, Labor Organization, Employment Agency ARTICULARS be biscriminated Against Me or Others. (If more than two, list under PARTICULARS be	low.)	-	No. Employees, Members	Phone	No. (Include Area Code)
Name			15 - 100		62) 287-8011
LACOSTA City, State and	ZIP Code				
Greet Address	-II 0006		==		
3461 County Road 100, Corinth, MS 38834			No. Employees, Members	Phone	No. (include Area Code
Name					
Street Address City, State and	ZIP Code				
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DISCRIMINATION BASED ON (Check appropriate box(es).)			DATE(S) DISC Earlies		ON TOOK PLACE Latest
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U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Memphis District Office 1407 Union Avenue ,9th Floor (901) 544-0119 Website: www.ecoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

To: Mr. Harold G. Roby

611 Scale Street Corinth, MS 38834

Re: Mr. Harold G. Roby v. LACOSTA

EEOC Charge Number: 490-2021-00004

EEOC Representative and email:

Vurtis McDowell

Investigator

Vurtis.McDowell@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge. The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: Edmond Sims 01/28/2022

Edmond Sims Acting District Director

CC:

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

(This information relates to filing suit in Federal or State court <u>under Federal law</u>. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS - 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court within 90 days of the date you receive this Notice. Receipt generally means the date when you (or your representative) opened this email or mail. You should keep a record of the date you received this notice. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to https://www.eeoc.gov/employees/lawsuit.cfm.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to: https://www.eeoc.gov/employees/lawsuit.cfm.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

How to Request Your Charge File and 90-Day Time Limit for Requests

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 490-2021-00004 to the Acting District Director at Edmond Sims, 1407 Union Avenue 9th Floor

Memphis, TN 38104. You can also make a FOIA request online at https://eeoc.arkcase.com/foia/portal/login.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to: https://www.eeoc.gov/eeoc/foia/index.cfm.